

REMARKS

Reconsideration of this application as amended is respectfully requested. The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

In the Office Action, claims 22-27, 30, 31, 33-35, 41-45, 47, and 48 were pending. Claims 22-24, 26, 27, 30, 31, 33-35, 41-43, 45, 47, and 48 were rejected. Claims 25 and 44 were objected to, but would be allowable if rewritten in independent forms.

In this response, claims 25, 34, and 44 have been cancelled without prejudice. Claims 22, 41, and 47 have been amended to particularly point out and distinctly claim, in full, clear, concise, and exact terms, the subject matter which Applicant regards as his invention. No new matter has been added.

Specifically, independent claims 22 and 41 have been amended to include an allowable subject matter of the objected to claims 25 and 44 respectively. Thus, independent claims 22 and 41, as well as their respective dependent claims are allowable.

Claim 47 is objected to because claim 47 depends from cancelled claim 46. In view of the foregoing amendment, it is respectfully submitted that the objection has been overcome.

Claim 34 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Accordingly, claim 34 has been cancelled without prejudice.

Claims 22, 23, 26, 27, 30, 31, 33-35, 41-43, 45, 47, and 48 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tauschek et al. (U.S. Patent 2,099,993). Claim 24 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tauschek et al. (U.S. Patent

2,099,993) in view of Schirneker et al. (U.S. Patent 3,412,681). In view of the foregoing amendments, it is respectfully submitted that the rejections are now moot.

While Applicant does not concede that the Examiner's position is correct on the merits, Applicant has sought to obtain the claims that were objected to. Applicant hereby reserves the right to pursue the cancelled claims in the subsequent prosecution of the present application.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call/email the undersigned attorney.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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